

1
2
3
4
5
6
7
8 **SEALED**
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1 RENE L. VALLADARES
2 Federal Public Defender
State Bar No. 11479
3 NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
(702) 388-6577/Phone
(702) 388-6261/Fax
5 Nisha_Brooks-Whittington@fd.org
6

7 Attorney for Jorge Armando Gomez-Vargas
8

9
10 **UNITED STATES DISTRICT COURT**
11
12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,
14 Plaintiff,

15 v.
16 JORGE ARMANDO GOMEZ-VARGAS,
Defendant.

17 Case No. 2:19-cr-00135-RFB-NJK

18
19 **SEALED STIPULATION TO
CONTINUE HEARING FOR
WAIVER OF INDICTMENT, FILING
OF INFORMATION, INITIAL
APPEARANCE AND
ARRAIGNMENT AND PLEA**
20
21 (First Request)

22 IT IS HEREBY STIPULATED AND AGREED, by and between
23 Nicholas A. Trutanich, United States Attorney, and Linda Mott, Assistant United
24 States Attorney, counsel for the United States of America, and Rene L. Valladares,
25 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender,
counsel for Jorge Armando Gomez-Vargas, that the hearing for Waiver of Indictment, Filing
of an Information, Initial Appearance and Arraignment and Plea currently scheduled on June
26, 2019 at 11:00 a.m., be vacated and continued to a date and time convenient to the Court,
but no sooner than thirty (30) days.

1 This Stipulation is entered into for the following reasons:

2 1. On June 21, 2019, the United States Supreme Court issued an opinion in *Rehaif v. United States*, No. 17-9560, 2019 WL 2552487 (U.S. June 21, 2019). *Rehaif* involves an issue that is presented in the instant matter. As a result, undersigned counsel needs additional time to review and discuss the implications of *Rehaif* with her client prior to a hearing.

6 2. The defendant is in custody and agrees with the need for the continuance.

7 3. The parties agree to the continuance.

8 4. Additionally, denial of this request for continuance could result in a miscarriage
9 of justice.

10 5. The additional time requested herein is not sought for purposes of delay, but to
11 allow undersigned counsel and the defendant time to review the recent Supreme Court decision
12 in *Rehaif* and determine how to proceed.

13 This is the first request for a continuance of the hearing for Waiver of Indictment, Filing
14 of an Information, Initial Appearance and Arraignment and Plea.

15 DATED this 21st day of June, 2019.

16
17 RENE L. VALLADARES
18 Federal Public Defender

NICHOLAS A. TRUTANICH
United States Attorney

19 /s/ *Nisha Brooks-Whittington*
20 By _____
21 NISHA BROOKS-WHITTINGTON
22 Assistant Federal Public Defender

/s/ *Linda Mott*
By _____
LINDA MOTT
Assistant United States Attorney

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

V.

JORGE ARMANDO GOMEZ-VARGAS,

Defendant.

Case No. 2:19-cr-00135-RFB-NJK

SEALED ORDER

JORGE ARMANDO GOMEZ-VARGAS,
Defendant.

IT IS THEREFORE ORDERED that the hearing for Waiver of Indictment, Filing of an Information, Initial Appearance and Arraignment and Plea currently scheduled for Monday, June 24, 2019 at 11:00 a.m. be vacated and continued to August 1, 2019 at the hour of 2:00 p.m.

DATED this 21st of June, 2019.

8

RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE